

## **REMARKS**

The following are the applicant's response to issues raised in the order as presented in the Office Action dated 01/05/2004. Two copies of an amended specification with corrections and additions imported are enclosed in addition to a marked up version of the previous specification.

### **Objection to the Disclosure under 35 CFR 1.163(a) and 35 U.S.C. 112**

It is requested that the examiner's request for amendment to Page 1, line 15-18, (item C.) for a request for a brief comparison between the instant plant and its female parent be withdrawn. The amendment of page 1, line 15-18, clarifies that the instant plant was derived from seed collected from various plants and therefore the specific female parent of the instant plant is unknown and a comparison cannot be made.

The disclosure was objected to because the specification presented a less than a full, clear, and complete botanical description of the instant plant. Accordingly, the specification has been amended, according to the examiner's suggestions, to more clearly and completely describe the plant. It is respectfully requested that the objections to the disclosure be withdrawn.

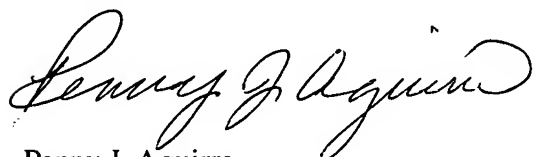
### **Claim Rejection under 35 U.S.C. 112, 1<sup>st</sup> and 2<sup>nd</sup> Paragraphs**

The claim was rejected under 35 USC 112 as not being supported by a clear and complete botanical description. Accordingly, the botanical description has been amended to more clearly describe the plant. It is respectfully requested that the 35 U.S.C. 112 rejection be withdrawn. The claimed plant is now believed to be in condition for allowance.

## CONCLUSION

The examiner's attention to each of the parts of the patent application is greatly appreciated. The examiner is encouraged to contact the applicant's agent for any additional information that can be provided to move the application towards allowance.

Respectfully submitted,

A handwritten signature in cursive script, reading "Penny J. Aguirre".

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